

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

South Carolina Department of Health and Environmental Control vs. Horton Sales Development Corp., et al., Civil Action No. 6:11cv1657-HMH

DHEC-Bureau of Land and Waste Management, File #56198
Horton Sales Development Corporation—Piedmont Site

NOTICE OF: SETTLEMENT, CONTRIBUTION PROTECTION, AND COMMENT PERIOD

PLEASE TAKE NOTICE that the South Carolina Department of Health and Environmental Control (DHEC) intends to enter into a Settlement Agreement (Agreement) with Cardinal Container Services, Inc. (Settling Defendant). Upon approval by the Court, the Agreement provides a settlement payment of \$25,000 to DHEC as final judgment against the Settling Defendant. The Agreement is subject to a thirty-day public comment period, consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9622, and the South Carolina Hazardous Waste Management Act (HWMA), S.C. Code Ann. § 44-56-200 (as amended).

The Agreement relates to the release, and threatened release, of hazardous substances, pollutants, or contaminants at the former Horton Sales Development Corporation—Piedmont Site located in Greenville County, at 1870 Piedmont Highway, Piedmont, South Carolina. In consideration of the foregoing, the Agreement provides for a release of the Settling Defendant from further liability and confers contribution protection to the Settling Defendant pursuant to CERCLA 42 U.S.C. § 9613.

Notice of Settlement, Contribution Protection and Comment Period will be provided to potentially responsible parties via email or US mail. The Agreement is available:

- (1) On-line at <http://www.dhec.sc.gov/environment/lwm/publicnotice.htm>; or
- (2) By contacting Pat Vincent at 803-896-4074 or vincenpl@dhec.sc.gov.

Any comments to the Agreement must be submitted in writing, postmarked no later than March 25, 2013, and addressed to: Pat Vincent, DHEC-BLWM-SARR, 2600 Bull Street, Columbia, SC 29201. The Agreement will be filed with the Court for approval.

UPON APPROVAL AND ENTRY OF THE AGREEMENT BY THE COURT, ANY AND ALL CLAIMS BY ANY AND ALL PERSONS AGAINST SETTLING DEFENDANT SEEKING CONTRIBUTION FOR MATTERS ENCOMPASSED BY THE AGREEMENT SHALL BE FORECLOSED.